

THE HONORABLE KYMBERLY K. EVANSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RACHEL WASHINGTON, Executor of the
Estate of ISAIAH WASHINGTON, deceased,

Plaintiff,

v.

THE BOEING COMPANY,

Defendant.

No. 2:24-cv-00059

ORDER ON DISCOVERY DISPUTE

This matter comes before the Court on the parties' joint submission regarding a discovery dispute. Dkt. No. 34. The Court has considered the parties' submission and the argument of counsel (Dkt. No. 37), and hereby memorializes the oral ruling stated on the record on May 10, 2024. The Court ORDERS that:

1. Party discovery is stayed pending resolution of Defendant's pending motion to dismiss (Dkt. No. 33). No party discovery shall be had unless the Court denies in whole or in part Defendant's pending motion to dismiss.
2. If the Court denies in whole or in part the motion to dismiss, Defendant must respond to Plaintiff's April 8, 2024 discovery requests no later than 30 days after the Court rules on the motion to dismiss.

3. The stay does not prevent the parties from pursuing discovery from non-parties through Federal Rule of Civil Procedure 45. The stay therefore does not impact any subpoena(s) either party has noticed or served in this action.
4. The Court vacates the current deadlines to join additional parties and amend pleadings. Dkt. No. 32. In the event the Court denies in whole or in part Defendant's motion to dismiss, the parties shall meet and confer and jointly propose new deadlines to join additional parties and amend pleadings no later than 14 days after the Court's ruling on the motion to dismiss. All other deadlines set forth in the Court's scheduling order (*id.*) remain unchanged.
5. The clerk is directed to TERMINATE the parties' joint submission regarding a discovery dispute (Dkt. No. 34).

DATED this 20th day of May, 2024.



Kymberly K. Evanson
United States District Judge